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Express Mail Label No. EV492574974US Dated: November 2, 2004

Docket No.: 08212/0201978-US0 (NC30826US)
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:
Rajeev Koodli et al.

Application No.: 09/616,221

Filed: July 14, 2000

For: SYSTEM AND METHOD FOR EFFICIENT
STATE TRANSFER IN MOBILE NETWORKS

**COMMENTS REGARDING THE PETITION FOR REVIVAL OF AN APPLICATION FOR
PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The above-identified application became abandoned for failure to file a timely reply to the Notice to File Missing Parts dated October 3, 2000.

The entire delay in filing the required reply from the due date for the required reply until the filing of this petition under 37 CFR 1.137(b) was unintentional. It is submitted, therefore, that on the basis described above the abandonment should be held to be unintentional and, the enclosed Combined Declaration and Power of Attorney should be entered and the case revived.

On or about August 20, 2004, the Applicants' assignee, Nokia, Inc., reviewed the file for U.S. Patent Application Serial No. 09/616,221 to determine the status of the patent application. It was determined at that time, to the surprise of the reviewers, that this case had gone abandoned due to failure to provide a timely reply to a Notice to File Missing Parts. Nokia's file, however, did not

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include a Notice of Abandonment or any other indication that Nokia or the Applicants were informed of the abandonment.

We have since ordered a copy of the U.S.P.T.O. file. According to that file, a Notice of Abandonment was sent to Ms. Linda M. Beach at Nokia Internet Communications Inc. on May 24, 2002. Nokia has no record of receiving the Notice of Abandonment.

The undersigned has contacted Ms. Linda M. Beach, who is the attorney who filed the present patent application and to whom correspondence was directed. Ms. Beach is no longer with Nokia. Ms. Beach does not recall receiving a Notice of Abandonment in the present patent application and was surprised to learn that the present patent application went abandoned. The file history indicates that attempts were made by the U.S.P.T.O. to contact Ms. Beach on April 29, 2002 and May 2, 2002 and that a message was left for Ms. Beach on May 1, 2002. Ms. Beach, however, does not recall receiving any message regarding the abandonment of the present patent application.

The Applicants, Nokia, and Ms. Beach did not intend for the present patent application to go abandoned. Unfortunately, attempts to apprise Nokia, the Applicants, and Ms. Beach of the abandonment do not appear to have been successful. If such attempts had been successful, Nokia would have proceeded to revive the patent application at that time. Until the recent review of Nokia's file regarding the status of this patent application, it was believed that the present patent application was in the process of being examined by the U.S.P.T.O.

To revive the present patent application, Applicants are presenting the Response to Notice to File Missing Parts and Preliminary Amendment, the signed Combined Declaration and Power of Attorney, Figure 7, a copy of the Notice to File Missing Parts document, a Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR 1.137(b), these Comments, and the requisite petition and missing parts fees. The Applicants respectfully request consideration and granting of the Petition for Revival. If there are any questions, the Applicants respectfully request that the undersigned be contacted for discussion.

Comments Regarding The Petition For Revival Of An Application

Application No.: 09/616,221

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Docket No.: 08212/0201978-US0 (NC30526US)

Our check covering the fee set forth in 37 CFR 1.17(m) is enclosed. The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: November 2, 2004

Respectfully submitted,

By 

Bruce Black

Registration No.: 41,622

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Attorneys/Agents For Applicant



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/64 (09-04)
Approved for use through 07/31/2008. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
08212/0201978-US0
(NC30526US)

First named inventor: Rajeev Koodli

Application No: 09/616,221

Art Unit: Not Yet Assigned

Filed: July 14, 2000

Examiner: Not Yet Assigned

Title: SYSTEM AND METHOD FOR EFFICIENT STATE TRANSFER IN MOBILE NETWORKS

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity – fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity – fee \$ 1,370.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of a Response to Notice to File Missing Parts and Preliminary Amendment, a combined Declaration and Power of Attorney, Figure 7, a copy of the Notice to File Missing Parts document and the associated fee under 37 CFR 1.16(e) (\$130.00)

☐ has been filed previously on _____

☒ is enclosed herewith.

B. The issue fee of and publication fee (if required) \$ _____

☐ has been paid previously on _____ **11/05/2004 EADUBAK1 00000107 09616221**

☐ is enclosed herewith.

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3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].


Signature

Nov. 2, 2004
Date

Bruce E. Black
Typed or printed name

41,622
Registration Number, if applicable

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- Enclosures:
- ☒ Fee Payment
 - ☒ Reply (Response to Notice to File Missing Parts and Preliminary Amendment)
 - ☐ Terminal Disclaimer Form
 - ☐ Additional sheets containing statements establishing unintentional delay
 - ☒ Other: Combined Declaration And Power Of Attorney, Figure 7, Comments
Regarding the Petition for Revival of an Application for Patent Abandoned
Unintentionally under 37 CFR 1.137(b); and copy of Notice to File Missing
Parts